

LABOUR AND EMPLOYMENT DEPARTMENTS

The 31st January, 1969

No. 748-2Lab-69/2824.—In consultation with the Haryana Public Service Commission, the Governor of Haryana is pleased to order the appointment by promotion of Sarvshri K. K. Chhibber and R. C. Dhawan, Assistant Employment Officers (Vocational Guidance), to the posts of Sub-Regional Employment Officers (Gazetted) in the grade of Rs. 250—25—550/25—750, with effect from 1st March, 1968 (forenoon) and 6th March, 1968 (afternoon), respectively.

(Sd.) . . . Secy.

LABOUR DEPARTMENT

The 31st January, 1969

No. 732-ASOIII-Lab-69/2854.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of Messrs Guru Nanak Woollen and Finishing Works, Panipat : —

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 93 of 1968

between

SHRI RAM SHANKAR WORKMAN AND THE MANAGEMENT OF M/S GURU NANAK WOOLLEN
AND FINISHING WORKS, PANIPAT

Present—

Shri Harish Baghi with Shri Ram Shankar workman in person.
Nemo for the management.

AWARD

Shri Ram Shankar was in the service of M/s Guru Nanak Woollen and Finishing Works, Panipat. His services were terminated and this gave rise to an industrial dispute. The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government Gazette Notification No. ID/KL/68/25120, dated 7th October, 1968 : —

Whether the termination of services of Shri Ram Shankar, worker, is justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which the workman filed his statement of claim. A registered letter was received from the management to the effect that they had not received the statement of claim from the claimant Shri Ram Shankar and therefore, they were not in a position to attend this Court on the date fixed for framing of the issues. The non-receipt of the statement of claim was not a sufficient ground for the management not to attend this Court. An issue which is precisely the same is in the order of reference was framed and the date was given to the workman to produce the evidence.

The workman has appeared as a witness in support of his case and has stated that he was appointed by the respondent as a mistry on the raising machine about 4 or 5 years back but he met with an accident as a result of which fingers of his right hand were cut and thereafter he was given odd jobs. The workman states that he was getting Rs. 72/- per mensem only. He fell ill on 10th July, 1968 and remained on leave till 20th July, 1968 and when he reported for duty the management did not give him duty. The claimant states that thereafter he received a notice from the management to report for duty and accordingly he again reported for duty and then he was asked to thumb-mark a document said to contain his resignation which he refused and thereafter the management did not give him duty.

There is no reason to disbelieve the sworn testimony of the claimant to which there is no rebuttal. It is, therefore, proved that the termination of his services of the claimant Shri Ram Shankar was not justified and in order. He is entitled to be reinstated with continuity of service and full back wages.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Faridabad.

Dated the 21st January, 1969.

No. 165, dated the 24th January, 1969.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Faridabad.

Dated the 21st January, 1969.